

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Joseph D. Thornblad,

Petitioner,

v.

Civil No. 12-375 (JNE/SER)
ORDER

Commissioner of Human Services, Lucinda Jesson,
and Attorney General Office,

Respondents.

On April 2, 2012, the Court denied Petitioner's application under 28 U.S.C. § 2254 (2006) for a writ of habeas corpus, denied his application for leave to proceed in forma pauperis, and declined to issue a certificate of appealability. After filing a notice of appeal, Petitioner applied to proceed in forma pauperis on appeal. "An appeal may not be taken in forma pauperis if the trial court certifies in writing that it is not taken in good faith." 28 U.S.C. § 1915(a)(3) (2006). A party demonstrates good faith by seeking appellate review of issues that are not frivolous. *Coppedge v. United States*, 369 U.S. 438, 445 (1962). Here, the Court denied Petitioner's application for a writ of habeas corpus because he had not exhausted the remedies available in state court. Having failed to contest this conclusion with a reasoned, nonfrivolous argument, Petitioner has not demonstrated that he seeks "appellate review of any issue not frivolous." *Id.* The Court certifies that Petitioner's appeal is not taken in good faith. His application to proceed in forma pauperis on appeal [Docket No. 17] is DENIED.

IT IS SO ORDERED.

Dated: June 14, 2012

s/ Joan N. Ericksen
JOAN N. ERICKSEN
United States District Judge